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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 59033-297872

In re Application of:

Siddhartha NAG et al.

Serial No.: 10/701,017

Filed: November 3, 2003

For: **END-TO-END SERVICE QUALITY FOR
LATENCY-INTENSIVE INTERNET
PROTOCOL (IP) APPLICATIONS IN A
HETEROGENEOUS, MULTI-VENDOR
ENVIRONMENT**

) Examiner: Not yet assigned.

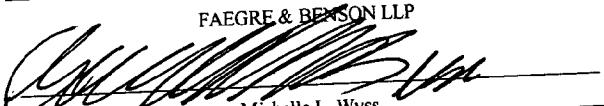
) Art Unit: 2143

) Confirmation No.: 5830

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FAEGRE & BENSON LLP


Michelle L. Wyss

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.97(B)(3) AND 1.98

Dear Sir:

Applicant hereby submits this Information Disclosure Statement which is being filed before the mailing date of a first Office Action on the merits.

Examiner is requested to consider the references noted on the enclosed Form PTO/SB/08a-b during examination of the above-identified patent application. These references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting these references, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality. In accordance with 37 C.F.R. § 1.98(a)(2)(i), copies of the references are provided herewith.

Atty. Docket No.: 59033-297872
Serial No.: 10/701,017

INVITATION FOR A TELEPHONE INTERVIEW

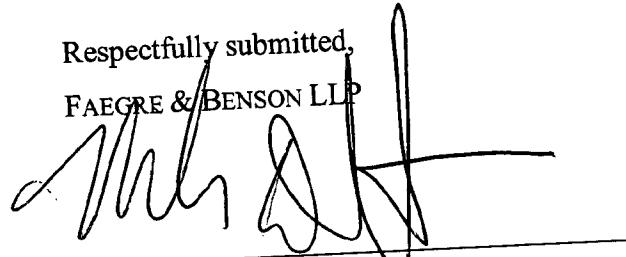
If the Examiner has any questions concerning the relevance of any reference cited in this disclosure, the Examiner is respectfully requested to call the undersigned at (303) 607-3633 if there remains any issue with allowance of the case.

CHARGE OUR DEPOSIT ACCOUNT

Pursuant to 37 C.F.R. § 1.97(b)(3), no fees are due with respect to this filing. However, should any fees be deemed necessary, such fees may be charged to Deposit Account No. 06-0029.

Respectfully submitted,

FAEGRE & BENSON LLP



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Date: August 31, 2004

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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of

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Complete if Known

Application Number	10/701,017
Filing Date	November 3, 2003
First Named Inventor	Siddhartha Nag et al.
Art Unit	2440 2144
Examiner Name	Not yet known, Tammy Nguyen

Attorney Docket Number 59033-297872

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
1	US-5,831,975		11-03-1998	Chen et al.	
2	US-5,958,009		09-28-1999	Friedrich et al.	
3	US-6,026,443		02-15-2000	Oskouy et al.	
4	US-6,054,987		04-25-2000	Richardson et al.	
5	US-6,061,723		05-09-2000	Walker et al.	
6	US-6,104,721		8/15/2000	Hsu et al.	
7	US-6,108,310		08-22-2000	Wilkinson et al.	
8	US-6,212,562		04-03-2001	Huang et al.	
9	US-2002/0015387		02-07-2002	Houh et al.	
10	US-6,366,577		04-02-2002	Donovan et al.	
11	US-2002/0049860		04-25-2002	Koistinen et al.	
12	US-6,418,139		07-09-2002	Akhtar et al.	
13	US-6,493,348		12-10-2002	Gelman et al.	
14	US-6,515,966		02-04-2003	Bardalai et al.	
15	US-6,606,668		08-12-2003	McLampy et al.	
16	US-6,639,981		10-28-2003	Dunn Jr. et al.	
17	US-6,640,248		10-28-2003	Jorgensen et al.	
18	US-6,647,208		11-11-2003	Kirby et al.	
19	US-6,678,729		01-13-2004	Ahoor et al.	
20	US-6,714,987		03-30-2004	Amin et al.	
21	US-2004/0073641		04-15-2004	Minhazuddin et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
22	EP1017200		07-05-2000	Himbeault		
23	WO 00/77988		12-21-2000	Telefonaktiebolaget LM Ericsson		
24	WO 01/31939		05-03-2001	Telefonaktiebolaget LM Ericsson		

Examiner Signature	/Thanh Nguyen/	Date Considered	07/01/2008
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 3 of 4

Complete if Known

Application Number	10/701,017
Filing Date	November 3, 2003
First Named Inventor	Siddhartha Nag et al.
Art Unit	2144
Examiner Name	Tammy Nguyen

Attorney Docket Number 59033-297872

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	45	Netcool Solutions for Enterprise, End-To-End Business and Service Assurance, Micromuse, Inc. (6 pages). No dated	
	46	Netcool/System Service Monitors White Paper, Including Netcool/Applications Service Monitors, 2003, Micromuse, Inc. (8 pages).	
	47	Netcool/Monitors Product Family – Realtime and Trended Performance, Status and Service Monitoring, 2004, Micromuse, Inc. (4 pages).	
	48	Netcool/Usage Service Monitors White Paper (Netcool/USMs), 2003, Micromuse, Inc. (11 pages).	
	49	Netcool/Precision for IP Networks: Discovery & Topology-/Based /RCA, Micromuse, Inc. (2 pages). No dated	
	50	Realtime Event Management for Business and Service Assurance, Micromuse, Inc. (4 pages). No dated	
	51	FARRELL, C., Grappling With Management Of IP Telephony, Internet Telephony, May 2004, Technology Marketing Corporation (2 pages).	
	52	NetIQ VoIP Manager Connector For Netcool/OMNibus, Micromuse, Inc. (1 page). No dated	
	53	ALLEN, P., Putting new service management tactics to work, Service providers can make smarter use of service management technology, ServerWorld, Volume 16, No.4, April 2002 (3 pages).	
	54	HP OpenView Network Services – Management – Business blueprint, 2004, Hewlett-Packard Development Company, L.P. (6 pages).	
	55	Management Software – IP telephony management solutions overview & features, 2004, Hewlett-Packard Development Company, L.P., printed from the Internet at: http://www.openview.hp.com/cgi-bin/pf-new.cgi?IN=hp/products/nmm/prod_nnm_0002.h... (1 page).	
	56	Management Software – Alliance with Cisco Systems, Inc., 2004, Hewlett-Packard Development Company, L.P., printed from the Internet at: http://www.openview.hp.com/cgi-bin/pf-new.cgi?IN=hp/partners/alliances/pall_0001.html (2 pages).	
	57	Cisco HP Smart Way 2004 Solution Brief, 2003, Cisco Systems and Hewlett-Packard (4 pages).	
	58	HP Open View, Network Node Manager Smart Plug-in for Advanced routing 1.0 Data sheet, 2003-2004, Hewlett-Packard Development Company, L.P. (4 pages).	
	59	HP OpenView Performance Insight Report Pack for IP Telephony 1.2, 2004, Hewlett-Packard Development Company, L.P. (8 pages).	
	60	hp OpenView, glanceplus and glanceplus pak product brief, 2003, Hewlett-Packard Company (6 pages). No dated	
	61	HP OpenView, Performance Manager, Performance Monitor and Performance Agent data sheet, 2003, Hewlett-Packard Development Company, L.P. (4 pages).	
	62	HP Open View, Service Quality Manager 1.1 data sheet, 2003, Hewlett-Packard Development Company, L.P. (4 pages).	
	63	hp OpenView, service information portal 3.1 product brief, 2003, Hewlett-Packard Company (4 pages).	

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Sheet

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Application Number	10/701,017
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First Named Inventor	Siddhartha Nag et al.
Group Art Unit	2144
Examiner Name	Never known. Tammy Nguyen

Attorney Docket Number

59033-297872

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	25	EDER, M., et al., IP Service Management in the QoS Network, November 2001, printed from Internet at: http://search.ietf.org/internet-drafts/draft-irrf-smrg-ipsmf-01.txt (15 pages).	
	26	EDER, M., et al., Service Management Architectures Issues and Review, January 2001, printed from Internet at: ftp://ftp.isi.edu/in-notes/rfc3052.txt (12 pages).	
	27	ZHU, C., et al., RFC 2190 – RTP Payload Format for H.263 Video Streams, September 1997, printed from Internet at: http://www.faqs.org/rfcs/rfc2190.html (10 pages).	
	28	HANDLEY, M., et al., SIP: Session Initiation Protocol, March 1999, printed from Internet at: ftp://ftp.isi.edu/in-notes/rfc2543.txt (143 pages).	
	29	SIP: Session Initiation Protocol, updated August 2004, printed from Internet at: http://www.cs.columbia.edu/sip (1 page).	
	30	SIP: Session Initiation Protocol – Implementations, News, updated August 2004, printed from Internet at: http://www.cs.columbia.edu/sip/news.html (4 pages).	
	31	Measures network performance and predicts the impact of changes, Chariot, 2004, NetIQ Corporation (2 pages).	
	32	netIQ: Chariot, 1993-2004, NetIQ Corporation, printed from Internet at: http://www.netiq.com/products/chr/default.asp?print=true (1 page).	
	33	Delivers comprehensive service management for windows, UNIX and Linux systems and applications, NetIQ AppManager Suite, 2004, NetIQ Corporation (4 pages).	
	34	Delivers Enterprise VoIP QoS and Management, AppManager for VoIP, 2004, NetIQ Corporation (4 pages).	
	35	NetIQ's VoIP Management Solution, 2004, NetIQ Corporation (2 pages).	
	36	NetIQ: Appmanager for VoIP, 1993-2004, NetIQ Corporation, printed from the Internet at: http://www.netiq.com/products/am/modules/voip.asp?print=true (1 page).	
	37	PEARSALL, S., et al., Doing a VoIP Assessment with Vivinet Assessor, netIQ Work Smarter, 2001-2002, NetIQ Corporation (19 pages).	
	38	Delivers the leading software solution for assessing a data network's readiness for VoIP, Vivinet Assessor, 2004, NetIQ Corporation (2 pages).	
	39	NetIQ: Vivinet Assessor, 1993-2004, NetIQ Corporation, printed from the Internet at: http://www.netiq.com/products/va/default.asp?print=true (1 pages).	
	40	Pinpoints VoIP quality problems in minutes, Vivinet Diagnostics, 2004, NetIQ Corporation (2 pages).	
	41	NetIQ: Vivinet Diagnostics, 1993-2004, NetIQ Corporation, printed from the Internet at: http://www.netiq.com/products/vd/default.asp?print=true (1 page).	
	42	NetIQ: VoIP Management Solution, 1993-2004, NetIQ Corporation, printed from the Internet at: http://www.netiq.com/solutions/voip/default.asp?print=true (1 page).	
	43	Micromuse: Products & Solutions – Netcool Suite Overview, 2004, Micromuse, Inc., printed from the Internet at: http://www.micromuse.com/products_sols/index.html (9 pages).	
	44	Netcool Solutions for Voice Over IP, Realtime Service Quality Management for IP Telephony Services, Micromuse, Inc. (4 pages).	No Dated

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	64	hp OpenView, problem diagnosis 1.1 product brief, 2002, Hewlett-Packard Company (4 pages).	
	65	HP OpenView Performance Insight Pack for Infrastructure Usage, 2004, Hewlett-Packard Development Company, L.P. (6 pages).	
	66	HP OpenView, Network Node Manager Smart Plug-in for Advance Routing 1.0 Data sheet, 2003-2004, Hewlett-Packard Development Company, L.P. (4 pages).	
	67	HP OpenView, Customer Views 1.4 for Network Node Manager data sheet, 2003, Hewlett-Packard Development Company, L.P. (4 pages).	
	68	Hewlett-Packard OpenView – about Hewlett-Packard OpenView, 2004, Hewlett-Packard Development Company, L.P., printed from the Internet at: http://www.managementsoftware.hp.com/cgi-bin/pf-new.cgi?IN=hp//about/index.html (2 pages).	
	69	hp OpenView, service quality manager product overview, 2003, Hewlett-Packard Company (16 pages).	
	70	Intelligent Diagnostics for Networks, Beyond root-cause analysis, A white paper from HP – preliminary*, 2003, Hewlett-Packard Development Company, L.P. (12 pages).	
	71	HP OpenView, Operations 7.x for Windows, Firewall Configuration white paper, 2002, Hewlett-Packard Company (60 pages).	
	72	Gain strategic advantage with HP IT Service Management, White paper, 2003, Hewlett-Packard Development Company, L.P. (8 pages).	
	73	HARBAUM, T., et al., Layer 4+Switching with QOS Support for RTP and HTTP, 1999, Global Telecommunications Conference - GLOBECOM '99, pages 1591-1596.	

Examiner Signature

/Thanh Nguyen/

Date Considered

07/01/2008

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